

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

OPTERNATIVE, INC.,

Plaintiff,

- against -

JAND, INC., d/b/a/ WARBY PARKER,

Defendant.

Case No. 17 Civ. 6936 (RA) (SN)

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties hereby stipulate and agree that the above-captioned action, including any and all asserted claims, is hereby dismissed with prejudice. Each party shall bear its own costs and attorneys' fees.

IT IS SO STIPULATED.

Dated: January 14, 2020

**SPENCE PC**

s/ William C. Spence

By: William Cory Spence

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on January 14, 2020, a copy of the foregoing **Stipulation of Dismissal with Prejudice** has been filed with the Court's ECF filing system with electronic copies served by e-mail upon:

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